



WILLIAMSON COUNTY

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EXECUTIVE SECRETARY

February 14, 2000

VIA UNITED STATES MAIL and
CERTIFIED, RETURN-RECEIPT MAIL

Mr. K. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

**Re: Application of Terrabrook Ladd Utilities, LLC for
Certificate of Convenience and Necessity
Docket Number 99-00509**

Dear Sir or Madam:

Thank you for allowing Williamson County, on behalf of its citizens, the opportunity to address the Application of Terrabrook Ladd Utilities, LLC for a Certificate of Convenience and Necessity for the disposal of domestic wastewater in Williamson County.

Williamson County has a long history of requiring the utmost protection in the provision of services to its citizens, whether those services are provided by Williamson County itself or by other entities seeking to provide same within its borders. In order to further this goal, Williamson County endeavored to create and maintain its own subsurface sewage inspection and approval procedures by contract with the Commissioner of the Department of Environment and Conservation in 1993. In keeping with this level of concern for the health and safety of its citizens and for the protection of the environment, Williamson County has diligently researched and studied alternative and experimental systems for the treatment of domestic wastewater.

Through this research and study, Williamson County learned of an apparent lack of applicable regulations, criteria and controls. As a result, Williamson County has undertaken the implementation of its own set of requirements for the protection of its citizens by and through its Water and Wastewater Authority in accordance with Tennessee Code Annotated Title 68, Chapter 221, Part 6. Pursuant to such authority, the Williamson County Water and Wastewater Authority imposed a moratorium on the use of non-traditional sewage disposal systems on May 20, 1999, which is defined to include the proposed system for the Ladd Property. This moratorium was imposed until such time as the Water and Wastewater Authority adopts the new regulations for these non-traditional sewage

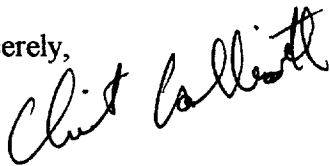
disposal systems or one year, whichever occurs earlier. An outline of the proposed regulations has been presented to the Water and Wastewater Authority, with draft regulations to follow in the next few months.

In addition to the imposition of a moratorium by the Water and Wastewater Authority, the Board of Health of Williamson County, pursuant to the authority found in Tennessee Code Annotated, Title 68, Chapter 2, Part 6, also imposed a moratorium on the use of non-traditional sewage disposal systems. The Board of Health specifically found that "it would not be in the best interest of the health and safety of the citizens of Williamson County to allow use of these non-traditional sewage disposal systems where no design criteria and no safety regulations exist."

Although Williamson County appreciates the need for innovative methods of treatment and disposal of domestic wastewater, Williamson County is not in the position to recommend such use to its citizens, where there are no safeguards and protections in place.

Williamson County respectfully requests that the Honorable Authority forbear the issuance of the Certificate of Convenience and Necessity which would entail the authority to operate this non-traditional sewage disposal system in Williamson County until such time as Williamson County has adopted and implemented its additional regulations and safeguards; and therefore, lifted its moratoria. Thank you again for the opportunity to address this matter, as it is of substantial concern to the residents of Williamson County. Should you have any questions regarding this correspondence, please do not hesitate to contact me.

Sincerely,



Clint Callicott
County Executive
Williamson County, Tennessee

xc: Honorable Marsha Blackburn
Honorable Charles Sargent
Honorable Mike Williams
Honorable Jerry Sharber, City of Franklin
Honorable Cecil D. Branstetter,
Counsel for Terrabrook Ladd Utilities, LLC
Mr. John Lackey, Chairman
Williamson County Water and Wastewater Authority